

**CAMPAIGN FINANCE AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE****General Description:**

This bill modifies provisions of the Election Code relating to contributions and financial statements.

**Highlighted Provisions:**

This bill:

- ▶ modifies the deadline by which a state office candidate is required to report receipt of certain contributions or public service assistance;
- ▶ modifies the deadline by which a state office candidate or state officeholder is required to dispose of certain anonymous contributions;
- ▶ modifies the expenditure threshold for requiring a county political party to file financial statements;
- ▶ modifies the penalties for a county political party that fails to file a required financial statement;
- ▶ modifies and enacts financial requirements for political action committees, political issues committees, and politically active corporations;
- ▶ modifies reporting requirements for a school board office candidate;
- ▶ modifies reporting requirements relating to an independent expenditure; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-11-201**, as last amended by Laws of Utah 2015, Chapters 21 and 127

**20A-11-301**, as last amended by Laws of Utah 2015, Chapters 21 and 127

**20A-11-401**, as last amended by Laws of Utah 2016, Chapter 409

33        **20A-11-510**, as enacted by Laws of Utah 2011, Chapter 396  
 34        **20A-11-511**, as last amended by Laws of Utah 2015, Chapter 204  
 35        **20A-11-512**, as last amended by Laws of Utah 2015, Chapter 204  
 36        **20A-11-601**, as last amended by Laws of Utah 2011, Chapter 347  
 37        **20A-11-602**, as last amended by Laws of Utah 2015, Chapters 21 and 204  
 38        **20A-11-704**, as enacted by Laws of Utah 2006, Chapter 226  
 39        **20A-11-705**, as enacted by Laws of Utah 2015, Chapter 296  
 40        **20A-11-801**, as last amended by Laws of Utah 2015, Chapter 388  
 41        **20A-11-802**, as last amended by Laws of Utah 2015, Chapters 21, 204, and 388  
 42        **20A-11-803**, as last amended by Laws of Utah 2015, Chapter 204  
 43        **20A-11-1005**, as last amended by Laws of Utah 2013, Chapter 252  
 44        **20A-11-1301**, as last amended by Laws of Utah 2016, Chapter 28  
 45        **20A-11-1502**, as last amended by Laws of Utah 2015, Chapter 204  
 46        **20A-11-1703**, as enacted by Laws of Utah 2014, Chapter 60  
 47        **20A-11-1704**, as enacted by Laws of Utah 2014, Chapter 60  
 48        **20A-12-303**, as last amended by Laws of Utah 2015, Chapters 21 and 127

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50    *Be it enacted by the Legislature of the state of Utah:*

51        Section 1. Section **20A-11-201** is amended to read:

52        **20A-11-201. State office candidate -- Separate bank account for campaign funds**  
 53        **-- No personal use -- Contribution reporting deadline -- Report other accounts --**  
 54        **Anonymous contributions.**

55            (1) (a) Each state office candidate or the candidate's personal campaign committee  
 56        shall deposit each contribution and public service assistance received in one or more separate  
 57        campaign accounts in a financial institution.

58            (b) A state office candidate or a candidate's personal campaign committee may not use  
 59        money deposited in a campaign account for:

60            (i) a personal use expenditure; or

61            (ii) an expenditure prohibited by law.

62            (2) A state office candidate or the candidate's personal campaign committee may not  
 63        deposit or mingle any contributions received into a personal or business account.

(3) If a person who is no longer a state office candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-203 until the statement of dissolution and final summary report required by Section 20A-11-205 are filed with the lieutenant governor.

(4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who is no longer a state office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former state office candidate to recognize the money as taxable income under federal tax law.

(b) A person who is no longer a state office candidate may transfer the money in a campaign account in a manner that would cause the former state office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.

(5) (a) As used in this Subsection (5) and Section 20A-11-204, "received" means:

(i) for a cash contribution, that the cash is given to a state office candidate or a member of the candidate's personal campaign committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the state office candidate.

(b) Each state office candidate shall report to the lieutenant governor each contribution and public service assistance received by the state office candidate:

(i) except as provided in Subsection (5)(b)(ii), within ~~30~~ 31 days after the day on which the contribution or public service assistance is received; or

(ii) within three business days after the day on which the contribution or public service assistance is received, if:

(A) the state office candidate is contested in a convention and the contribution or public service assistance is received within 30 days before the day on which the convention is held;

(B) the state office candidate is contested in a primary election and the contribution or public service assistance is received within 30 days before the day on which the primary election is held; or

(C) the state office candidate is contested in a general election and the contribution or public service assistance is received within 30 days before the day on which the general election is held.

(c) For each contribution or provision of public service assistance that a state office candidate fails to report within the time period described in Subsection (5)(b), the lieutenant governor shall impose a fine against the state office candidate in an amount equal to:

(i) (A) 10% of the amount of the contribution, if the state office candidate reports the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(B) 20% of the amount of the contribution, if the state office candidate fails to report the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(ii) (A) 10% of the value of the public service assistance, if the state office candidate reports the public service assistance within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(B) 20% of the amount of the public service assistance, if the state office candidate fails to report the public service assistance within 60 days after the day on which the time period described in Subsection (5)(b) ends.

(d) The lieutenant governor shall:

(i) deposit money received under Subsection (5)(c) into the General Fund; and

(ii) report on the lieutenant governor's website, in the location where reports relating to each state office candidate are available for public access:

(A) each fine imposed by the lieutenant governor against the state office candidate;

(B) the amount of the fine;

(C) the amount of the contribution to which the fine relates; and

(D) the date of the contribution.

(6) (a) As used in this Subsection (6), "account" means an account in a financial institution:

(i) that is not described in Subsection (1)(a); and

(ii) into which or from which a person who, as a candidate for an office, other than the state office for which the person files a declaration of candidacy or federal office, or as a holder

of an office, other than a state office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A state office candidate shall include on any financial statement filed in accordance with this part:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(7) Within ~~[30]~~ 31 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from an unknown source, a state office candidate shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

Section 2. Section **20A-11-301** is amended to read:

**20A-11-301. Legislative office candidate -- Campaign finance requirements -- Candidate as a political action committee officer -- No personal use -- Contribution reporting deadline -- Report other accounts -- Anonymous contributions.**

(1) (a) (i) Each legislative office candidate shall deposit each contribution and public service assistance received in one or more separate accounts in a financial institution that are dedicated only to that purpose.

(ii) A legislative office candidate may:

(A) receive a contribution or public service assistance from a political action committee registered under Section 20A-11-601; and

(B) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601.

(b) A legislative office candidate or the candidate's personal campaign committee may not use money deposited in an account described in Subsection (1)(a)(i) for:

- 157 (i) a personal use expenditure; or  
158 (ii) an expenditure prohibited by law.
- 159 (2) A legislative office candidate may not deposit or mingle any contributions or public  
160 service assistance received into a personal or business account.
- 161 (3) If a person who is no longer a legislative candidate chooses not to expend the  
162 money remaining in a campaign account, the person shall continue to file the year-end  
163 summary report required by Section 20A-11-302 until the statement of dissolution and final  
164 summary report required by Section 20A-11-304 are filed with the lieutenant governor.
- 165 (4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who  
166 is no longer a legislative office candidate may not expend or transfer the money in a campaign  
167 account in a manner that would cause the former legislative office candidate to recognize the  
168 money as taxable income under federal tax law.
- 169 (b) A person who is no longer a legislative office candidate may transfer the money in  
170 a campaign account in a manner that would cause the former legislative office candidate to  
171 recognize the money as taxable income under federal tax law if the transfer is made to a  
172 campaign account for federal office.
- 173 (5) (a) As used in this Subsection (5) and Section 20A-11-303, "received" means:
- 174 (i) for a cash contribution, that the cash is given to a legislative office candidate or a  
175 member of the candidate's personal campaign committee;
- 176 (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
177 instrument or check is negotiated; and
- 178 (iii) for any other type of contribution, that any portion of the contribution's benefit  
179 inures to the legislative office candidate.
- 180 (b) Each legislative office candidate shall report to the lieutenant governor each  
181 contribution and public service assistance received by the legislative office candidate:
- 182 (i) except as provided in Subsection (5)(b)(ii), within ~~[30]~~ 31 days after the day on  
183 which the contribution or public service assistance is received; or
- 184 (ii) within three business days after the day on which the contribution or public service  
185 assistance is received, if:
- 186 (A) the legislative office candidate is contested in a convention and the contribution or  
187 public service assistance is received within 30 days before the day on which the convention is

188 held;

189 (B) the legislative office candidate is contested in a primary election and the  
190 contribution or public service assistance is received within 30 days before the day on which the  
191 primary election is held; or

192 (C) the legislative office candidate is contested in a general election and the  
193 contribution or public service assistance is received within 30 days before the day on which the  
194 general election is held.

195 (c) For each contribution or provision of public service assistance that a legislative  
196 office candidate fails to report within the time period described in Subsection (5)(b), the  
197 lieutenant governor shall impose a fine against the legislative office candidate in an amount  
198 equal to:

199 (i) (A) 10% of the amount of the contribution, if the legislative office candidate reports  
200 the contribution within 60 days after the day on which the time period described in Subsection  
201 (5)(b) ends; or

202 (B) 20% of the amount of the contribution, if the legislative office candidate fails to  
203 report the contribution within 60 days after the day on which the time period described in  
204 Subsection (5)(b) ends; or

205 (ii) (A) 10% of the value of the public service assistance, if the legislative office  
206 candidate reports the public service assistance within 60 days after the day on which the time  
207 period described in Subsection (5)(b) ends; or

208 (B) 20% of the amount of the public service assistance, if the legislative office  
209 candidate fails to report the public service assistance within 60 days after the day on which the  
210 time period described in Subsection (5)(b) ends.

211 (d) The lieutenant governor shall:

212 (i) deposit money received under Subsection (5)(c) into the General Fund; and

213 (ii) report on the lieutenant governor's website, in the location where reports relating to  
214 each legislative office candidate are available for public access:

215 (A) each fine imposed by the lieutenant governor against the legislative office  
216 candidate;

217 (B) the amount of the fine;

218 (C) the amount of the contribution to which the fine relates; and

(D) the date of the contribution.

(6) Within ~~[30]~~ 31 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from an unknown source, a legislative office candidate shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

(7) (a) As used in this Subsection (7), "account" means an account in a financial institution:

(i) that is not described in Subsection (1)(a)(i); and

(ii) into which or from which a person who, as a candidate for an office, other than a legislative office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a legislative office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A legislative office candidate shall include on any financial statement filed in accordance with this part:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

Section 3. Section **20A-11-401** is amended to read:

**20A-11-401. Officeholder financial reporting requirements -- Year-end summary report -- Officeholder as a political action committee officer -- Anonymous contribution or public service assistance.**

(1) (a) Each officeholder shall file a summary report by January 10 of each year.

(b) An officeholder that is required to file a summary report both as an officeholder and as a candidate for office under the requirements of this chapter may file a single summary report as a candidate and an officeholder, provided that the combined report meets the

250 requirements of:

251 (i) this section; and

252 (ii) the section that provides the requirements for the summary report filed by the  
253 officeholder in the officeholder's capacity of a candidate for office.

254 (2) (a) Each summary report shall include the following information as of December 31  
255 of the previous year:

256 (i) the net balance of the last summary report, if any;

257 (ii) a single figure equal to the total amount of receipts received since the last summary  
258 report, if any;

259 (iii) a single figure equal to the total amount of expenditures made since the last  
260 summary report, if any;

261 (iv) a detailed listing of each contribution and public service assistance received since  
262 the last summary report;

263 (v) for each nonmonetary contribution:

264 (A) the fair market value of the contribution with that information provided by the  
265 contributor; and

266 (B) a specific description of the contribution;

267 (vi) a detailed listing of each expenditure made since the last summary report;

268 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

269 (viii) a net balance for the year consisting of the net balance from the last summary  
270 report plus all receipts minus all expenditures; and

271 (ix) the name of a political action committee for which the officeholder is designated  
272 as an officer who has primary decision-making authority under Section 20A-11-601.

273 (b) In preparing the report, all receipts and expenditures shall be reported as of  
274 December 31 of the previous year.

275 (3) The summary report shall contain a paragraph signed by the officeholder certifying  
276 that, to the best of the officeholder's knowledge, all receipts and all expenditures have been  
277 reported as of December 31 of the last calendar year and that there are no bills or obligations  
278 outstanding and unpaid except as set forth in that report.

279 (4) An officeholder may:

280 (a) receive public service assistance from a political action committee registered under

281 Section 20A-11-601; and

282 (b) be designated by a political action committee as an officer who has primary  
283 decision-making authority as described in Section 20A-11-601.

284 (5) Within ~~[30]~~ 31 days after receiving a contribution or public service assistance that  
285 is cash or a negotiable instrument, exceeds \$50, and is from an unknown source, an  
286 officeholder shall disburse the amount of the contribution or public service assistance to:

287 (a) the treasurer of the state or a political subdivision for deposit into the state's or  
288 political subdivision's general fund; or

289 (b) an organization that is exempt from federal income taxation under Section  
290 501(c)(3), Internal Revenue Code.

291 Section 4. Section **20A-11-510** is amended to read:

292 **20A-11-510. County political party financial reporting requirements -- Year-end**  
293 **summary report.**

294 (1) A county political party officer of a county political party that has received  
295 contributions totaling at least \$750, or disbursed expenditures totaling at least ~~[\$50]~~ \$750,  
296 during a calendar year shall file a summary report by January 10 of the following year.

297 (2) (a) Each summary report shall include the following information as of December 31  
298 of the previous year:

299 (i) the net balance of the last summary report, if any;

300 (ii) a single figure equal to the total amount of receipts reported on all interim reports,  
301 if any, filed during the previous year;

302 (iii) a single figure equal to the total amount of expenditures reported on all interim  
303 reports, if any, filed during the previous year;

304 (iv) a detailed listing of each contribution and public service assistance received since  
305 the last summary report that has not been reported in detail on an interim report;

306 (v) for each nonmonetary contribution, the fair market value of the contribution;

307 (vi) a detailed listing of each expenditure made since the last summary report that has  
308 not been reported in detail on an interim report;

309 (vii) for each nonmonetary expenditure, the fair market value of the expenditure; and

310 (viii) a net balance for the year consisting of the net balance from the last summary  
311 report, if any, plus all receipts minus all expenditures.

(b) (i) For all individual contributions or public service assistance of \$50 or less, a single aggregate figure may be reported without separate detailed listings.

(ii) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.

(c) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the previous year.

(3) The county political party officer shall certify in the summary report that, to the best of the officer's knowledge, all receipts and all expenditures have been reported as of December 31 of the previous year and that there are no bills or obligations outstanding and unpaid except as set forth in that report.

Section 5. Section **20A-11-511** is amended to read:

**20A-11-511. County political party financial reporting requirements -- Interim reports.**

(1) (a) A county political party officer of a county political party that has received contributions totaling at least \$750, or disbursed expenditures totaling at least ~~[\$50]~~ \$750, during a calendar year shall file an interim report at the following times in any year in which there is a regular general election:

(i) seven days before the county political party's convention;

(ii) seven days before the regular primary election date;

(iii) September 30; and

(iv) seven days before the general election date.

(b) A county political party officer need not file an interim report if it received no contributions or made no expenditures during the reporting period.

(2) Each interim report shall include the following information:

(a) the net balance of the last financial statement, if any;

(b) a single figure equal to the total amount of receipts reported on all prior interim reports, if any, during the calendar year in which the interim report is due;

(c) a single figure equal to the total amount of expenditures reported on all prior interim reports, if any, filed during the calendar year in which the interim report is due;

(d) a detailed listing of each contribution and public service assistance received since the last summary report that has not been reported in detail on a prior interim report;

(e) for each nonmonetary contribution, the fair market value of the contribution;

(f) a detailed listing of each expenditure made since the last summary report that has not been reported in detail on a prior interim report;

(g) for each nonmonetary expenditure, the fair market value of the expenditure;

(h) a net balance for the year consisting of the net balance from the last summary report, if any, plus all receipts since the last summary report minus all expenditures since the last summary report; and

(i) a summary page in the form required by the lieutenant governor that identifies:

(i) beginning balance;

(ii) total contributions during the period since the last statement;

(iii) total contributions to date;

(iv) total expenditures during the period since the last statement; and

(v) total expenditures to date.

(3) (a) For all individual contributions or public service assistance of \$50 or less, a single aggregate figure may be reported without separate detailed listings.

(b) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.

(4) In preparing each interim report, all receipts and expenditures shall be reported as of five days before the required filing date of the report.

Section 6. Section **20A-11-512** is amended to read:

**20A-11-512. County political party -- Criminal penalties -- Fines.**

~~[(1)(a) A county political party that fails to file an interim report that is due seven days before the county political party's convention is subject to a fine imposed in accordance with Section 20A-11-1005.]~~

~~[(b)]~~ (1) A county political party that fails to file an interim report described in Subsections 20A-11-511(1)(a)~~[(ii)]~~(i) through (iv) is subject to a fine ~~[of \$1,000]~~ in accordance with Section 20A-11-1005, which the chief election officer shall deposit in the General Fund.

(2) Within 30 days after a deadline for the filing of the January 10 statement required by Section 20A-11-510, the lieutenant governor shall review each filed statement to ensure that:

(a) a county political party officer who is required to file a statement has filed one; and

(b) each statement contains the information required by Section 20A-11-510.

(3) If it appears that any county political party officer has failed to file a financial statement, if it appears that a filed financial statement does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of any financial statement, the lieutenant governor shall, within five days of discovery of a violation or receipt of a written complaint, notify the county political party officer of the violation or written complaint and direct the county political party officer to file a financial statement correcting the problem.

(4) (a) A county political party that fails to file or amend a financial statement within seven days after receiving notice from the lieutenant governor under this section is subject to a fine of [~~\$1,000, which the chief election officer shall deposit in the General Fund.~~] the lesser of:

(i) 10% of the total contributions received by the county political party during the reporting period for the financial statement that the county political party failed to file or amend; or

(ii) \$1,000.

(b) The chief election officer shall deposit a fine collected under Subsection (4)(a) in the General Fund.

Section 7. Section **20A-11-601** is amended to read:

**20A-11-601. Political action committees -- Registration -- Criminal penalty for providing false information or accepting unlawful contribution.**

(1) (a) Each political action committee shall file a statement of organization with the lieutenant governor's office by January 10 of each year, unless the political action committee has filed a notice of dissolution under Subsection (4).

(b) If a political action committee is organized after the January 10 filing date, the political action committee shall file an initial statement of organization no later than seven days after:

(i) receiving contributions totaling at least \$750; or

(ii) distributing expenditures for political purposes totaling at least [~~\$50~~] \$750.

(c) Each political action committee shall deposit each contribution received in one or more separate accounts in a financial institution that are dedicated only to that purpose.

(2) (a) Each political action committee shall designate two officers who have primary decision-making authority for the political action committee.

(b) A person may not exercise primary decision-making authority for a political action committee who is not designated under Subsection (2)(a).

(3) The statement of organization shall include:

(a) the name and address of the political action committee;

(b) the name, street address, phone number, occupation, and title of the two primary officers designated under Subsection (2)(a);

(c) the name, street address, occupation, and title of all other officers of the political action committee;

(d) the name and street address of the organization, individual corporation, association, unit of government, or union that the political action committee represents, if any;

(e) the name and street address of all affiliated or connected organizations and their relationships to the political action committee;

(f) the name, street address, business address, occupation, and phone number of the committee's treasurer or chief financial officer; and

(g) the name, street address, and occupation of each member of the governing and advisory boards, if any.

(4) (a) Any registered political action committee that intends to permanently cease operations shall file a notice of dissolution with the lieutenant governor's office.

(b) Any notice of dissolution filed by a political action committee does not exempt that political action committee from complying with the financial reporting requirements of this chapter.

(5) (a) Unless the political action committee has filed a notice of dissolution under Subsection (4), a political action committee shall file, with the lieutenant governor's office, notice of any change of an officer described in Subsection (2)(a).

(b) Notice of a change of a primary officer described in Subsection (2)(a) shall:

(i) be filed within 10 days of the date of the change; and

(ii) contain the name and title of the officer being replaced, and the name, street address, occupation, and title of the new officer.

(6) (a) A person is guilty of providing false information in relation to a political action

committee if the person intentionally or knowingly gives false or misleading material information in the statement of organization or the notice of change of primary officer.

(b) Each primary officer designated in Subsection (2)(a) is guilty of accepting an unlawful contribution if the political action committee knowingly or recklessly accepts a contribution from a corporation that:

(i) was organized less than 90 days before the date of the general election; and

(ii) at the time the political action committee accepts the contribution, has failed to file a statement of organization with the lieutenant governor's office as required by Section 20A-11-704.

(c) A violation of this Subsection (6) is a third degree felony.

Section 8. Section **20A-11-602** is amended to read:

**20A-11-602. Political action committees -- Financial reporting.**

(1) (a) Each registered political action committee that has received contributions totaling at least \$750, or disbursed expenditures totaling at least ~~[\$50]~~ \$750, during a calendar year shall file a verified financial statement with the lieutenant governor's office:

(i) on January 10, reporting contributions and expenditures as of December 31 of the previous year;

(ii) seven days before the state political convention of each major political party;

(iii) seven days before the regular primary election date;

(iv) on September 30; and

(v) seven days before:

(A) the municipal general election; and

(B) the regular general election date.

(b) The registered political action committee shall report:

(i) a detailed listing of all contributions received and expenditures made since the last statement; and

(ii) for a financial statement described in Subsections (1)(a)(ii) through (iv), all contributions and expenditures as of five days before the required filing date of the financial statement.

(c) The registered political action committee need not file a statement under this section if it received no contributions and made no expenditures during the reporting period.

(2) (a) The verified financial statement shall include:

(i) the name and address of any individual who makes a contribution to the reporting political action committee, if known, and the amount of the contribution;

(ii) the identification of any publicly identified class of individuals that makes a contribution to the reporting political action committee, if known, and the amount of the contribution;

(iii) the name and address of any political action committee, group, or entity, if known, that makes a contribution to the reporting political action committee, and the amount of the contribution;

(iv) for each nonmonetary contribution, the fair market value of the contribution;

(v) the name and address of each reporting entity that received an expenditure from the reporting political action committee, and the amount of each expenditure;

(vi) for each nonmonetary expenditure, the fair market value of the expenditure;

(vii) the total amount of contributions received and expenditures disbursed by the reporting political action committee;

(viii) a statement by the political action committee's treasurer or chief financial officer certifying that, to the best of the person's knowledge, the financial report is accurate; and

(ix) a summary page in the form required by the lieutenant governor that identifies:

(A) beginning balance;

(B) total contributions during the period since the last statement;

(C) total contributions to date;

(D) total expenditures during the period since the last statement; and

(E) total expenditures to date.

(b) (i) Contributions received by a political action committee that have a value of \$50 or less need not be reported individually, but shall be listed on the report as an aggregate total.

(ii) Two or more contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.

(3) A group or entity may not divide or separate into units, sections, or smaller groups for the purpose of avoiding the financial reporting requirements of this chapter, and substance shall prevail over form in determining the scope or size of a political action committee.

(4) (a) As used in this Subsection (4), "received" means:

- 498 (i) for a cash contribution, that the cash is given to a political action committee;  
499 (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
500 instrument or check is negotiated; and  
501 (iii) for any other type of contribution, that any portion of the contribution's benefit  
502 inures to the political action committee.

503 (b) A political action committee shall report each contribution to the lieutenant  
504 governor within ~~[30]~~ 31 days after the contribution is received.

505 (5) A political action committee may not expend a contribution for political purposes if  
506 the contribution:

- 507 (a) is cash or a negotiable instrument;  
508 (b) exceeds \$50; and  
509 (c) is from an unknown source.

510 (6) Within 31 days after receiving a contribution that is cash or a negotiable  
511 instrument, exceeds \$50, and is from an unknown source, a political action committee shall  
512 disburse the amount of the contribution to:

513 (a) the treasurer of the state or a political subdivision for deposit into the state's or  
514 political subdivision's general fund; or

515 (b) an organization that is exempt from federal income taxation under Section  
516 501(c)(3), Internal Revenue Code.

517 Section 9. Section **20A-11-704** is amended to read:

518 **20A-11-704. Statement of organization required for certain new corporations.**

519 (1) A corporation that is incorporated, organized, or otherwise created less than 90 days  
520 before the date of a general election shall file a statement of organization with the lieutenant  
521 governor's office before making a contribution to a political action committee or a political  
522 issues committee in association with the election.

523 (2) The statement of organization shall include:

- 524 (a) the name and street address of the corporation;  
525 (b) the name, street address, phone number, occupation, and title of one or more  
526 individuals that have primary decision-making authority for the corporation;  
527 (c) the name, street address, phone number, occupation, and title of the corporation's  
528 chief financial officer;

(d) the name, street address, occupation, and title of all other officers or managers of the corporation; and

(e) the name, street address, and occupation of each member of the corporation's governing and advisory boards, if any.

(3) (a) A corporation shall file a notice of intent to cease making contributions with the lieutenant governor's office, if the corporation:

(i) has made a contribution described in Subsection (1); and

(ii) intends to permanently cease making contributions described in Subsection (1).

(b) A notice filed under Subsection (3)(a) does not exempt the corporation from complying with the financial reporting requirements described in this chapter.

Section 10. Section **20A-11-705** is amended to read:

**20A-11-705. Notice of in-kind contributions.**

(1) A corporation that makes an in-kind contribution to a reporting entity shall, in accordance with Subsection (2), provide the reporting entity a written notice that includes:

(a) the name and address of the corporation;

(b) the date of the in-kind expenditure;

(c) a description of the in-kind expenditure; and

(d) the value, in dollars, of the in-kind expenditure.

(2) A corporation shall provide the written notice described in Subsection (1) to the reporting entity:

(a) except as provided in Subsection (2)(b), within ~~[30]~~ 31 days after the day on which the corporation makes the in-kind contribution; or

(b) within three business days after the day on which the corporation makes the in-kind contribution, if:

(i) the in-kind contribution is to a candidate who is contested in a convention and the corporation makes the in-kind contribution within 30 days before the day on which the convention is held;

(ii) the in-kind contribution is to a candidate who is contested in a primary election and the corporation makes the in-kind contribution within 30 days before the day on which the primary election is held; or

(iii) the in-kind contribution is to a candidate who is contested in a general election and

the corporation makes the in-kind contribution within 30 days before the day on which the general election is held.

(3) A corporation that provides, and a reporting entity that receives, the written notice described in Subsection (1) shall retain a copy of the notice for five years after the day on which the written notice is provided to the reporting entity.

(4) A corporation or reporting entity that fails to comply with the requirements of this section is guilty of a class B misdemeanor.

(5) A person that intentionally or knowingly provides, or conspires to provide, false information on a written notice described in this section is guilty of a class B misdemeanor.

Section 11. Section **20A-11-801** is amended to read:

**20A-11-801. Political issues committees -- Registration -- Criminal penalty for providing false information or accepting unlawful contribution.**

(1) (a) Each political issues committee shall file a statement of organization with the lieutenant governor's office by January 10 of each year, unless the political issues committee has filed a notice of dissolution under Subsection (4).

(b) If a political issues committee is organized after the January 10 filing date, the political issues committee shall file an initial statement of organization no later than seven days after:

(i) receiving political issues contributions totaling at least \$750; or

(ii) disbursing political issues expenditures totaling at least \$750.

(c) Each political issues committee shall deposit each contribution received in one or more separate accounts in a financial institution that are dedicated only to that purpose.

(2) Each political issues committee shall designate two officers that have primary decision-making authority for the political issues committee.

(3) The statement of organization shall include:

(a) the name and street address of the political issues committee;

(b) the name, street address, phone number, occupation, and title of the two primary officers designated under Subsection (2);

(c) the name, street address, occupation, and title of all other officers of the political issues committee;

(d) the name and street address of the organization, individual, corporation,

association, unit of government, or union that the political issues committee represents, if any;

(e) the name and street address of all affiliated or connected organizations and their relationships to the political issues committee;

(f) the name, street address, business address, occupation, and phone number of the committee's treasurer or chief financial officer;

(g) the name, street address, and occupation of each member of the supervisory and advisory boards, if any; and

(h) the ballot proposition whose outcome they wish to affect, and whether they support or oppose it.

(4) (a) Any registered political issues committee that intends to permanently cease operations during a calendar year shall:

(i) dispose of all remaining funds by returning the funds to donors or donating the funds to an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code; and

(ii) after complying with Subsection (4)(a)(i), file a notice of dissolution with the lieutenant governor's office.

(b) Any notice of dissolution filed by a political issues committee does not exempt that political issues committee from complying with the financial reporting requirements of this chapter.

(5) (a) Unless the political issues committee has filed a notice of dissolution under Subsection (4), a political issues committee shall file, with the lieutenant governor's office, notice of any change of an officer described in Subsection (2).

(b) Notice of a change of a primary officer described in Subsection (2) shall:

(i) be filed within 10 days of the date of the change; and

(ii) contain the name and title of the officer being replaced and the name, street address, occupation, and title of the new officer.

(6) (a) A person is guilty of providing false information in relation to a political issues committee if the person intentionally or knowingly gives false or misleading material information in the statement of organization or the notice of change of primary officer.

(b) Each primary officer designated in Subsection (2) is guilty of accepting an unlawful contribution if the political issues committee knowingly or recklessly accepts a contribution

622 from a corporation that:

623 (i) was organized less than 90 days before the date of the general election; and

624 (ii) at the time the political issues committee accepts the contribution, has failed to file  
625 a statement of organization with the lieutenant governor's office as required by Section  
626 20A-11-704.

627 (c) A violation of this Subsection (6) is a third degree felony.

628 Section 12. Section **20A-11-802** is amended to read:

629 **20A-11-802. Political issues committees -- Financial reporting.**

630 (1) (a) Each registered political issues committee that has received political issues  
631 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least  
632 \$750, during a calendar year, shall file a verified financial statement with the lieutenant  
633 governor's office:

634 (i) on January 10, reporting contributions and expenditures as of December 31 of the  
635 previous year;

636 (ii) seven days before the state political convention of each major political party;

637 (iii) seven days before the regular primary election date;

638 (iv) seven days before the date of an incorporation election, if the political issues  
639 committee has received donations or made disbursements to affect an incorporation;

640 (v) at least three days before the first public hearing held as required by Section  
641 20A-7-204.1;

642 (vi) if the political issues committee has received or expended funds in relation to an  
643 initiative or referendum, at the time the initiative or referendum sponsors submit:

644 (A) the verified and certified initiative packets as required by Section 20A-7-206; or

645 (B) the signed and verified referendum packets as required by Section 20A-7-306;

646 (vii) on September 30; and

647 (viii) seven days before:

648 (A) the municipal general election; and

649 (B) the regular general election.

650 (b) The political issues committee shall report:

651 (i) a detailed listing of all contributions received and expenditures made since the last  
652 statement; and

(ii) all contributions and expenditures as of five days before the required filing date of the financial statement, except for a financial statement filed on January 10.

(c) The political issues committee need not file a statement under this section if it received no contributions and made no expenditures during the reporting period.

(2) (a) That statement shall include:

(i) the name and address, if known, of any individual who makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(ii) the identification of any publicly identified class of individuals that makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(iii) the name and address, if known, of any political issues committee, group, or entity that makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(iv) the name and address of each reporting entity that makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(v) for each nonmonetary contribution, the fair market value of the contribution;

(vi) except as provided in Subsection (2)(c), the name and address of each individual, entity, or group of individuals or entities that received a political issues expenditure of more than \$50 from the reporting political issues committee, and the amount of each political issues expenditure;

(vii) for each nonmonetary expenditure, the fair market value of the expenditure;

(viii) the total amount of political issues contributions received and political issues expenditures disbursed by the reporting political issues committee;

(ix) a statement by the political issues committee's treasurer or chief financial officer certifying that, to the best of the person's knowledge, the financial statement is accurate; and

(x) a summary page in the form required by the lieutenant governor that identifies:

(A) beginning balance;

(B) total contributions during the period since the last statement;

(C) total contributions to date;

(D) total expenditures during the period since the last statement; and

(E) total expenditures to date.

(b) (i) Political issues contributions received by a political issues committee that have a value of \$50 or less need not be reported individually, but shall be listed on the report as an aggregate total.

(ii) Two or more political issues contributions from the same source that have an aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported separately.

(c) When reporting political issue expenditures made to circulators of initiative petitions, the political issues committee:

(i) need only report the amount paid to each initiative petition circulator; and

(ii) need not report the name or address of the circulator.

(3) (a) As used in this Subsection (3), "received" means:

(i) for a cash contribution, that the cash is given to a political issues committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the political issues committee.

(b) A political issues committee shall report each contribution to the lieutenant governor within ~~[30]~~ 31 days after the contribution is received.

(4) A political issues committee may not expend a contribution for a political issues expenditure if the contribution:

(a) is cash or a negotiable instrument;

(b) exceeds \$50; and

(c) is from an unknown source.

(5) Within 31 days after receiving a contribution that is cash or a negotiable instrument, exceeds \$50, and is from an unknown source, a political issues committee shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section

715 501(c)(3), Internal Revenue Code.

716 Section 13. Section **20A-11-803** is amended to read:

717 **20A-11-803. Criminal penalties -- Fines.**

718 (1) (a) Each political issues committee that fails to file a financial statement before the  
719 deadline is subject to a fine imposed in accordance with Section 20A-11-1005.

720 (b) Each political issues committee that fails to file a financial statement described in  
721 Subsection 20A-11-802(1)(a)(vii) or (viii) is guilty of a class B misdemeanor.

722 ~~[(b)]~~ (c) The lieutenant governor shall report all violations of Subsection (1)~~[(a)]~~(b) to  
723 the attorney general.

724 (2) Within 30 days after a deadline for the filing of the January 10 statement, the  
725 lieutenant governor shall review each filed statement to ensure that:

726 (a) each political issues committee that is required to file a statement has filed one; and

727 (b) each statement contains the information required by this part.

728 (3) If it appears that any political issues committee has failed to file the January 10  
729 statement, if it appears that a filed statement does not conform to the law, or if the lieutenant  
730 governor has received a written complaint alleging a violation of the law or the falsity of any  
731 statement, the lieutenant governor shall, within five days of discovery of a violation or receipt  
732 of a written complaint, notify the political issues committee of the violation or written  
733 complaint and direct the political issues committee to file a statement correcting the problem.

734 (4) (a) It is unlawful for any political issues committee to fail to file or amend a  
735 statement within seven days after receiving notice from the lieutenant governor under this  
736 section.

737 (b) Each political issues committee who violates Subsection (4)(a) is guilty of a class B  
738 misdemeanor.

739 (c) The lieutenant governor shall report all violations of Subsection (4)(a) to the  
740 attorney general.

741 (d) In addition to the criminal penalty described in Subsection (4)(b), the lieutenant  
742 governor shall impose a civil fine of \$1,000 against a political issues committee that violates  
743 Subsection (4)(a).

744 Section 14. Section **20A-11-1005** is amended to read:

745 **20A-11-1005. Fines for failing to file a financial statement.**

(1) Except as provided in [~~Subsections~~] Subsection 20A-11-512[~~(1)(b)~~ and] (4), the chief election officer shall fine a filing entity \$100 for failing to file a financial statement by the filing deadline.

(2) If a filing entity is unable to pay the fine or files an affidavit of impecuniosity in a manner similar to Subsection 20A-9-201(5)(d), the chief election officer shall impose the fine against the candidate or treasurer, as appropriate.

(3) The chief election officer shall deposit fines collected under this chapter in the General Fund.

Section 15. Section **20A-11-1301** is amended to read:

**20A-11-1301. School board office candidate -- Campaign finance requirements -- Candidate as a political action committee officer -- No personal use -- Contribution reporting deadline -- Report other accounts -- Anonymous contributions.**

(1) (a) (i) Each school board office candidate shall deposit each contribution and public service assistance received in one or more separate accounts in a financial institution that are dedicated only to that purpose.

(ii) A school board office candidate may:

(A) receive a contribution or public service assistance from a political action committee registered under Section 20A-11-601; and

(B) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601.

(b) A school board office candidate may not use money deposited in an account described in Subsection (1)(a)(i) for:

(i) a personal use expenditure; or

(ii) an expenditure prohibited by law.

(2) A school board office candidate may not deposit or mingle any contributions or public service assistance received into a personal or business account.

(3) A school board office candidate may not make any political expenditures prohibited by law.

(4) If a person who is no longer a school board office candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-1302 until the statement of dissolution and final

summary report required by Section 20A-11-1304 are filed with the lieutenant governor.

(5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, a person who is no longer a school board office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former school board office candidate to recognize the money as taxable income under federal tax law.

(b) A person who is no longer a school board office candidate may transfer the money in a campaign account in a manner that would cause the former school board office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.

(6) (a) As used in this Subsection (6), "received" means the same as that term is defined in Subsection 20A-11-1303(1)(a).

(b) Each school board office candidate shall report to the chief election officer each contribution and public service assistance received by the school board office candidate:

(i) except as provided in Subsection (6)(b)(ii), within ~~[30]~~ 31 days after the day on which the contribution or public service assistance is received; or

(ii) within three business days after the day on which the contribution or public service assistance is received, if:

(A) the school board office candidate is contested in a convention and the contribution or public service assistance is received within 30 days before the day on which the convention is held;

~~[(A)]~~ (B) the school board office candidate is contested in a primary election and the contribution or public service assistance is received within 30 days before the day on which the primary election is held; or

~~[(B)]~~ (C) the school board office candidate is contested in a general election and the contribution or public service assistance is received within 30 days before the day on which the general election is held.

(c) For each contribution or provision of public service assistance that a school board office candidate fails to report within the time period described in Subsection (6)(b), the chief election officer shall impose a fine against the school board office candidate in an amount equal to:

(i) (A) 10% of the amount of the contribution, if the school board office candidate

808 reports the contribution within 60 days after the day on which the time period described in  
809 Subsection (6)(b) ends; or

810 (B) 20% of the amount of the contribution, if the school board office candidate fails to  
811 report the contribution within 60 days after the day on which the time period described in  
812 Subsection (6)(b) ends; or

813 (ii) (A) 10% of the value of the public service assistance, if the school board office  
814 candidate reports the public service assistance within 60 days after the day on which the time  
815 period described in Subsection (6)(b) ends; or

816 (B) 20% of the amount of the public service assistance, if the school board office  
817 candidate fails to report the public service assistance within 60 days after the day on which the  
818 time period described in Subsection (6)(b) ends.

819 (d) The chief election officer shall:

820 (i) deposit money received under Subsection (6)(c) into the General Fund; and

821 (ii) report on the chief election officer's website, in the location where reports relating  
822 to each school board office candidate are available for public access:

823 (A) each fine imposed by the chief election officer against the school board office  
824 candidate;

825 (B) the amount of the fine;

826 (C) the amount of the contribution to which the fine relates; and

827 (D) the date of the contribution.

828 (7) Within ~~[30]~~ 31 days after receiving a contribution that is cash or a negotiable  
829 instrument, exceeds \$50, and is from an unknown source, a school board office candidate shall  
830 disburse the contribution to:

831 (a) the treasurer of the state or a political subdivision for deposit into the state's or  
832 political subdivision's general fund; or

833 (b) an organization that is exempt from federal income taxation under Section  
834 501(c)(3), Internal Revenue Code.

835 (8) (a) As used in this Subsection (8), "account" means an account in a financial  
836 institution:

837 (i) that is not described in Subsection (1)(a)(i); and

838 (ii) into which or from which a person who, as a candidate for an office, other than a

school board office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a school board office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A school board office candidate shall include on any financial statement filed in accordance with this part:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

Section 16. Section **20A-11-1502** is amended to read:

**20A-11-1502. Campaign financial reporting of expenditures -- Filing requirements -- Statement contents.**

(1) (a) Each labor organization that has made expenditures for political purposes or political issues expenditures on current or proposed ballot issues that total at least \$750 during a calendar year shall file a verified financial statement with the lieutenant governor's office:

(i) on January 10, reporting expenditures as of December 31 of the previous year;

(ii) seven days before the regular primary election date;

(iii) on September 30; and

(iv) seven days before the regular general election date.

(b) The labor organization shall report:

(i) a detailed listing of all expenditures made since the last statement; and

(ii) for a financial statement described in Subsections (1)(a)(ii) through (iv), all expenditures as of five days before the required filing date of the financial statement.

(c) The labor organization [~~need not~~] is not required to file a financial statement under this section if the labor organization:

(i) made no expenditures during the reporting period; or

(ii) reports [~~its~~] the labor organization's expenditures during the reporting period under another part of this chapter.

(2) The financial statement shall include:

(a) the name and address of each reporting entity that received an expenditure or political issues expenditure of more than \$50 from the labor organization, and the amount of each expenditure or political issues expenditure;

(b) the total amount of expenditures disbursed by the labor organization; and

(c) a statement by the labor organization's treasurer or chief financial officer certifying the accuracy of the financial statement.

Section 17. Section **20A-11-1703** is amended to read:

**20A-11-1703. Exceptions.**

(1) A registered political party is not required to comply with the requirements of this part.

(2) A reporting entity is not required to report an independent expenditure under this part if the reporting party:

(a) reports the expenditure under another part in this chapter; and

(b) in the report described in Subsection (2)(a):

(i) identifies the expenditure as an independent expenditure; and

(ii) provides the information, described in Subsection 20A-11-1704, in relation to the independent expenditure.

Section 18. Section **20A-11-1704** is amended to read:

**20A-11-1704. Independent expenditure report.**

(1) Except as provided in Section 20A-11-1703, within ~~[30]~~ 31 days after the day on which a person has made a total of at least \$1,000 in independent expenditures during an election cycle, the person shall file an independent expenditure report with the chief election officer.

(2) Except as provided in Section 20A-11-1703, within ~~[30]~~ 31 days after the day on which a person has made a total of at least \$1,000 in independent expenditures during an election cycle that were not reported in an independent expenditure report already filed with the chief election officer during the same election cycle, the person shall file another independent expenditure report with the chief election officer.

(3) An independent expenditure report shall include the following information:

(a) if the person who made the independent expenditures is an individual, the person's name, address, and phone number;

(b) if the person who made the independent expenditures is not an individual:

(i) the person's name, address, and phone number; and

(ii) the name, address, and phone number of an individual who may be contacted by the chief election officer in relation to the independent expenditure report; and

(c) for each independent expenditure made by the person during the current election cycle that was not reported in a previous independent expenditure report:

(i) the date of the independent expenditure;

(ii) the amount of the independent expenditure;

(iii) the candidate or ballot proposition for which the independent expenditure expressly advocates the success or defeat and a description of whether the independent expenditure supports or opposes the candidate or ballot proposition;

(iv) the identity, address, and phone number of the person to whom the independent expenditure was made;

(v) a description of the goods or services obtained by the independent expenditure; and

(vi) for each person who, for political purposes, made cumulative donations of \$1,000 or more during the current election cycle to the filer of the independent expenditure report:

(A) the identity, address, and phone number of the person;

(B) the date of the donation; and

(C) the amount of the donation.

(4) (a) If the person filing an independent expenditure report is an individual, the person shall sign the independent expenditure report and certify that the information contained in the report is complete and accurate.

(b) If the person filing an independent expenditure report is not an individual:

(i) the person filing the independent expenditure report shall designate an authorized individual to sign the independent expenditure report on behalf of the person; and

(ii) the individual designated under Subsection (4)(b)(i) shall sign the independent expenditure report and certify that the information contained in the report is complete and accurate.

(5) If a person who files an independent expenditure report previously filed an independent expenditure report during, or in relation to, the same election cycle that includes information, described in Subsection (3)(a) or (b), that has changed since the person filed the

previous independent expenditure report, the person shall include in the most recent independent expenditure report a description of the information that has changed that includes both the old information and the new information.

(6) An independent expenditure report is a public record under Title 63G, Chapter 2, Government Records Access and Management Act.

Section 19. Section **20A-12-303** is amended to read:

**20A-12-303. Separate account for campaign funds -- Reporting contributions.**

(1) The judge or the judge's personal campaign committee shall deposit each contribution in one or more separate personal campaign accounts in a financial institution.

(2) The judge or the judge's personal campaign committee may not deposit or mingle any contributions received into a personal or business account.

(3) (a) As used in this Subsection (3) and Section 20A-12-305, "received" means:

(i) for a cash contribution, that the cash is given to a judge or the judge's personal campaign committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the judge.

(b) The judge or the judge's personal campaign committee shall report to the lieutenant governor each contribution received by the judge, within ~~[30]~~ 31 days after the day on which the contribution is received.

(c) For each contribution that a judge fails to report within the time period described in Subsection (3)(b), the lieutenant governor shall impose a fine against the judge in an amount equal to:

(i) 10% of the amount of the contribution if the judge reports the contribution within 60 days after the day on which the time period described in Subsection (3)(b) ends; or

(ii) 20% of the amount of the contribution, if the judge fails to report the contribution within 60 days after the day on which the time period described in Subsection (3)(b) ends.

(d) The lieutenant governor shall:

(i) deposit money received under Subsection (3)(c) into the General Fund; and

(ii) report on the lieutenant governor's website, in the location where reports relating to

963 each judge are available for public access:

964 (A) each fine imposed by the lieutenant governor against the judge;

965 (B) the amount of the fine;

966 (C) the amount of the contribution to which the fine relates; and

967 (D) the date of the contribution.

968 (4) Within [~~30~~] 31 days after receiving a contribution that is cash or a negotiable

969 instrument, exceeds \$50, and is from an unknown source, a judge or the judge's personal

970 campaign committee shall disburse the amount of the contribution to:

971 (a) the treasurer of the state or a political subdivision for deposit into the state's or

972 political subdivision's general fund; or

973 (b) an organization that is exempt from federal income taxation under Section

974 501(c)(3), Internal Revenue Code.